

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN**

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

MACA.No. 471 of 2007

OPMV.1091/2002 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PERUMBAVOOR

APPELLANT/PETITIONER

**POULOSE, S/O CHACKO,
THURUTHUMMEL HOUSE,
KIZHAKKAMBALAM.**

**BY ADV. SRI.V.K.VEERAVUNNY
SRI.K.Y.TOMY
SRI.K.A.HARIS
SRI.K.S.ARUN BABU
SRI.P.B.SUNEER**

RESPONDENTS: RESPONDENTS

- 1. SRI.T.D.JOSE, S/O DEVASSY,
THONITHARA HOUSE, ST.DOMINIC CHURCH ROAD,
ALUVA P.O.**
- 2. SRI.JIGI, S/O.ITTEERA,
PUTHENPURACKAL HOUSE, KEEZHUMADU,
EDATHALA, ALUVA.**
- 3. M/S ORIENTAL INSURANCE CO.LTD.,
P.B.NO.49, PATTAMANA BUILDINGS, R.S.ROAD,
ALUVA.**

BY

**THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION
ON 28/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.No.471 OF 2007

Dated 28th May, 2007

JUDGMENT

Koshy,J.

The appellant who was an employee of the Kerala State Electricity Board met with an accident as a result of which there was a minor left temporal fracture and left parietal malleolus fracture. No operation was conducted. It was treated by putting POP. Even though appellant took long leave, Tribunal found that considering the nature of injuries, only three months' loss of pay leave to be reimbursed by the insurance company of the vehicle, the driver of which was found negligent. The medical bills were reimbursed. The total amount granted was Rs.80,000/= with interest. No permanent disability was caused to the appellant. No certificate of permanent disability was produced and as a result of the accident there is no case that salary or retiral benefits from K.S.E.B was reduced. Considering the nature of injuries, we are of the view that compensation awarded is just and reasonable and no interference is required.

The appeal is dismissed.

**J.B.KOSHY
JUDGE**

**K.P.BALACHANDRAN
JUDGE**

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